

**EXHIBIT “7”**

**PRESS RELEASE**

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**COMMISSIONER KELLY ANNOUNCES UNDERCOVER PANEL  
RECOMMENDATIONS: MANDATORY ALCOHOL TESTING IN SHOOTINGS WITH  
FATALITIES OR INJURIES**

Police Commissioner Raymond W. Kelly announced today 19 recommendations of a special panel that he appointed to review New York City Police Department undercover procedures in the wake of the Sean Bell shooting.

The recommendations include mandatory breathalyzer tests of all police officers, on duty or off duty, whose firearm discharge results in injury or death. They also include recommendations to improve how undercover officers are recruited, trained, supervised, and retained.

Commissioner Kelly notified the Department's executive command staff of the recommendations today and directed them to devise implementation plans or to identify any challenges or barriers to implementation.

It is anticipated that the administration of breathalyzer tests will begin in September.

"I want to thank the members of the committee for all of the time they donated to this important undertaking. It has resulted in a comprehensive set of thoughtful recommendations to make police undercover operations safer, more effective, and better understood by the public, while improving recruitment, training, supervision, retention and accountability," Commissioner Kelly said.

"There is no more dangerous assignment in policing than undercover work," Commissioner Kelly said. "We're indebted to the committee for making it possible for the Police Department to go forward better prepared to make undercover operations the safest possible for the police and public alike."

The Deputy Commissioner, Legal Matters, has addressed the legal issues involved in implementing the proposed alcohol testing policy and has concluded that such a policy would be constitutional. While there is a currently pending court case involving the Department's authority to use hair samples to test for drug usage, the DCLM has concluded that the proposed new alcohol testing policy does not have to be collectively bargained, and, in addition, members should be trained and coached on methods of limiting and avoiding alcohol consumption during undercover operations.

The committee will continue to meet to address any other issues that may arise as implementation moves forward.

The Committee for the Review of Undercover Procedures is chaired by Chief of Internal Affairs Charles Campisi. The other members include: Deputy Commissioner Dr. Cedric Alexander of the New York State Division of Criminal Justice Services; Deputy Commissioner of Training Charles DeRienzo; Deputy Commissioner of Legal Matters Commissioner S. Andrew Schaffer; Deputy Commissioner of Strategic Initiatives Michael J. Farrell; Deputy Commissioner of Intelligence David Cohen; Chief of Personnel Rafael Pinero; Chief of Community Affairs Douglas Ziegler; and Chief of Organized Crime Control Anthony Izzo.

Recommendations:

- 1 Develop methods for the psychological screening of candidates for undercover assignments
- 2 Provide periodic psychological screening and counseling for active undercover officers whose assignments are the most stressful in the Department and provide training for managing stress
- 3 Enhance scenario based training for undercovers through the use of professional actors
- 4 Expand the pool of potential undercovers by accepting particularly suitable candidates with less than 2 years of service and provide training tailored to their needs
- 5 Develop specific training for supervisors who oversee undercover operations with an emphasis on management, leadership, communication and interpersonal skills
- 6 Conduct a formal job analysis of the undercover assignments in order to establish a more effective performance evaluation system
- 7 Develop a community outreach program that educates the public about the risks, challenges and necessity of undercover operations
- 8 Develop a training video for officers involved in undercover operations which includes the perspectives of community leaders from the areas where operations are most often undertaken
- 9 Require tactical plans for undercover operations to include relevant information about the neighborhood in which the operation will take place

- 10 Require the administration of a Breathalyzer test in all cases in which a member of the service is involved in a firearms discharge incident, on duty or off duty, which results in injury or death
- 11 Clarify Department procedures regarding the consumption of alcohol by undercover officers during operations to limit such consumption to two drinks per tour and provide training on credible ways to avoid drinking altogether when pressured to do so by subjects
- 12 Develop a management accountability mechanism tailored to assess the performance of supervisors who oversee undercover operations
- 13 Require the Investigations Units of the relevant Bureaus to conduct periodic inspections of tactical meetings to assess their adequacy and completeness
- 14 Establish a mechanism for assuring the completion of required annual firearms training by undercover officers, while assuring the security of their identities
- 15 Design a standard, readily identifiable, highly reflective jacket for officers use when involved in plainclothes operations
- 16 Provide supervisors of undercover operations with portable megaphones and install light packages and public address systems in unmarked Department vehicles so as to enhance the awareness of police presence during enforcement actions
- 17 Require the inspection of all members of undercover operations, prior to deployment, to assure that all required equipment is being carried and is in good working order
- 18 Modify the tactical plan template to include specific consideration of the placement of marked police vehicles near the set to be deployed as needed, depending on the characteristics of the site
- 19 Develop incentives to retain experienced and highly competent undercover officers